

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KEVIN WARD,

Plaintiff,

v.

STANLEY PAYNE, et al.,

Defendants.

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No. 4:20-cv-01093-SPM

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of plaintiff Kevin Ward to stay proceedings until a later date. (Docket No. 16). In the motion, plaintiff suggests two reasons for the stay. First, plaintiff states that he has been moved to a different unit in his correctional institution, and has restarted the grievance process. Second, he notes that a new warden has taken over at his institution, and there is the possibility that he would not have to go through with the lawsuit.

Due to the lengthy nature of the requested stay, the Court will deny the motion. However, the Court will give plaintiff forty-five additional days from the date of this order in which to file the previously-ordered amended complaint or to dismiss this action without prejudice to refiling a new action at a later date. Failure to comply with this order will result in the dismissal of this case without prejudice and without further notice.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for a stay of proceedings (Docket No. 16) is **DENIED**.

IT IS FURTHER ORDERED that plaintiff shall have **forty-five (45) days** from the date of this order in which to submit an amended complaint on a Court form as previously ordered by the Court.

IT IS FURTHER ORDERED that failure to comply with this order within **forty-five (45) days** will result in the dismissal of this case without prejudice and without further notice.

IT IS FURTHER ORDERED that upon receipt of plaintiff's amended complaint, the Court will review it pursuant to 28 U.S.C. § 1915(e)(2).

A handwritten signature in black ink, appearing to read "Shirley Padmore", is written over a horizontal line.

SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

Dated this 29th day of October, 2020.